

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:	Harold E. Conkle <i>et al.</i>	:	Examiner: Not Yet Assigned
APPLICATION NO.:	09/701,760	:	
ex PCT /US00/04733		:	Group Art Unit: Not Yet Assigned
FILING DATE:	November 30, 2000	:	
TITLE:	Method for the Purification, Recovery, and Sporulation of Cysts and Oocysts.	:	

Commissioner for Patents
Washington, D.C. 20231

RECEIVED
1-1 MAY 2001
Sir: **Legal Staff**
International Division

for the attention of: Examiner Nguyen Ho, PCT Legal Division
Crystal Plaza 2, floor 7, Room (7)A09
phone 703-308-6508
via hand delivery on May 11, 2001

Replacement of Missing Documents before the USPTO in its Capacity as Elected Office
under the PCT/ 35 USC 371, 37 CFR 1.495.

On April 19, 2001 via Express Mail Label EF321677886US, Applicants filed their response to the pending "Notification of Missing Requirements under 35 USC 371". The response consisted of:

- (1) a Response Letter;
- (2) copy of Patent Office "Notification of Missing Requirements under 35 USC 371";
- (3) copy of Patent Office "Notification of a Defective Oath or Declaration"; and
- (4) executed Inventor Declaration provided as ten (10) separate copies of the Declaration, each bearing the signature of a different one of the ten inventors.

Based on a teleconference with Examiner Nguyen Ho, PCT Legal Division, it appears that the inventor declarations are lost from the official file, although the transmittal papers are in the file. Applicants also understand that their envelope was received intact, based on it not being marked "damaged" by the PTO mailroom staff upon its receipt. Whatever the cause, Applicants accordingly provide a complete replacement copy of their mailing of April 19, 2001.

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May 10, 2001
page 2

In due course, the mailing of a Filing Receipt and confirmation of a section 102(e) date of April 19, 2001 would be appreciated. The Examiner is asked to note the condition (copy quality) of certain of the replacement Declarations and advise accordingly.

Date: 5-10-01

Respectfully submitted,

E. Victor Donahue

E. Victor Donahue
Attorney for Applicant(s)
Reg. No. 35,492

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Legal Department, 20th Floor
235 East 42nd Street
New York, NY 10017-5755
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RECEIVED
11 MAY 2001
Legal Staff
International Division

RECORDABLE

Express Mail No. EF321677886US Docket No. PC10433A By EVD:mdd
Serial No. 09/701,760 Filing Date November 30, 2000
Application of Harold Conkle et al.
Entitled Method for the Purification, Recovery and Sporulation of
Cysts and Oocysts

The following, due _____ in the U.S. Patent Office, has been received there on the date stamped hereon:

- | | |
|---|--|
| <input type="checkbox"/> Specification _____ pages | <input type="checkbox"/> Certification 37 CFR 3.73(b) |
| <input type="checkbox"/> Claims _____ pages | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Abstract _____ pages | <input type="checkbox"/> Amendment |
| <input type="checkbox"/> Drawing(s) _____ sheets provided as 10 separate documents | <input type="checkbox"/> Brief (3 copies) |
| ** <input checked="" type="checkbox"/> Declaration with <input checked="" type="checkbox"/> Power of Attorney | <input type="checkbox"/> Letter |
| <input type="checkbox"/> Assignment & Recordation Cover Sheet | <input type="checkbox"/> Petition for Extension of Time |
| <input type="checkbox"/> Letter of Transmittal | <input type="checkbox"/> PTO-1390 (DO/EO/US) _____ pages |
| <input type="checkbox"/> USPS Certificate of Mailing | <input type="checkbox"/> Priority Document |
| <input type="checkbox"/> Disclosure Statement _____ References | <input checked="" type="checkbox"/> Copy of Notice of Missing Requirements |
| <input type="checkbox"/> Issue Fee Transmittal | <input type="checkbox"/> Response to Notice of |
| <input type="checkbox"/> Fee Address Indication Form | <input checked="" type="checkbox"/> Missing Requirements (in duplicate) |
| <input type="checkbox"/> Affidavit <input type="checkbox"/> Declaration <input type="checkbox"/> Oath | |

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Certificate of Express Mailing

The undersigned hereby certifies that the present letter (in duplicate), copy of PTO Notice to Complete Filing Requirements, and ten (10) executed inventor declarations were deposited this day with the United States Postal Service, postage prepaid, as Express Mail Post Office to Addressee, bearing Label EF 321677886US.

April 19, 2001


E. Victor Donahue

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Harold E. Conkle *et al.* :

Examiner: Not Yet Assigned

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Commissioner for Patents
Washington, D.C. 20231

Sir:

Response to "Notification of Missing Requirements under 35 USC section 371" and
Authorization to Charge Fees

The present application was nationally filed on November 30, 2000 and assigned serial number 09/701,760. The application represents the U.S. national stage (35 USC section 371) of PCT/US00/04733. When filed, the Inventor Declaration was unsigned.

In response to the Notification of Missing Requirements (copy attached) mailed April 12, 2001, Applicants herewith submit the executed Inventor Declaration. The Patent Office will please note that the present application has ten (10) inventors, and that to facilitate execution herein, ten (10) copies of the Declaration are being submitted. Each identical copy identifies all the inventors, but each copy provides the signature of only a single inventor.

Applicants respectfully **disagree** with the indication on the Notice that fees are due, 37 CFR 1.492(e), for **late filing of the executed Declaration**. A Chapter II Demand herein was filed on September 21, 2000. Applicants' priority document was filed on February 26, 1999, and thus the thirty month date herein is **August 26, 2001**. Should the Patent Office determine that Applicants' calculation is somehow in error, authorization is hereby provided to charge any necessary fee to the Pfizer Deposit Account 16-1445. A duplicate of this paper is therefore enclosed.

COPY

Respectfully submitted,

Date: 4/12/01

E. Victor Donahue
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